

4134
BILL NO. Z-78- 07-17

ZONING MAP ORDINANCE NO. Z-20-78

AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. DD13

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
an M1 District under the terms of Chapter 33, Municipal Code of the City of
Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning
Map No. DD13, referred to therein, established by Section 33-11, of said
Chapter are hereby changed accordingly, to wit:

Lots 9, 10 and 11 in Woodlawn Park Addition to the City of
Fort Wayne, according to the plat thereof, recorded in
Plat Record 28, Pages 33-34.

SECTION 2. That this Ordinance shall be in full force and effect
from and after its passage, approval by the Mayor and legal publication
thereof.

Vivian A. Schmidt
Councilman

APPROVED AS TO FORM & LEGALITY:

Clifford E. Simon, Jr.
Associate City Attorney

APPROVED AS TO FORM
AND LEGALITY,

[Signature]
CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by

Hunter, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E. S. T.

DATE: 7-25-78

Charles W. Westermark
CITY CLERK

Read the third time in full and on motion by V. Schmidt,

seconded by Hinga, and duly adopted, placed on its passage.

PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>1</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u>	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 9-26-78

Charles W. Westermark
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

(ZONING MAP) (~~GENERAL~~) (~~ANNEXATION~~) (~~SPECIAL~~) (~~APPROPRIATION~~) ORDINANCE

(RESOLUTION) No. 3-20-78 on the 26th day of September, 1978

ATTEST: (SEAL)

Charles W. Westermark
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th

day of September, 1978, at the hour of 11:30 o'clock A. M., E. S. T.

Charles W. Westermark
CITY CLERK

Approved and signed by me this 28th day of September, 1978,

at the hour of 10 o'clock _____ M., E. S. T.

Kahat E. Hinchey
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 25, 1978, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-78-07-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1978;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 28, 1978.

Certified and signed this
5th day of September 1978.



Luben Lazoff
Secretary

Bill No. Z-78-07-17

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. DD13

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance NO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

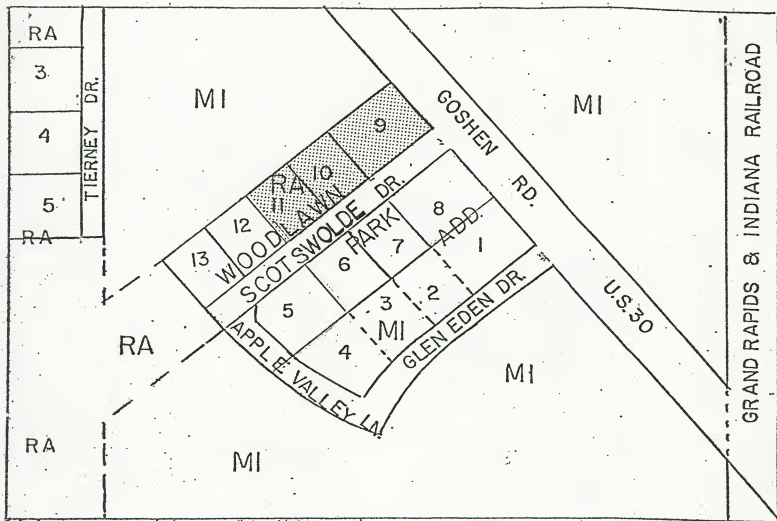
DONALD J. SCHMIDT

JAMES S. STIER

Vivian G. Schmidt

William T. Hinga
DJ Schmidt

9-2-78 CONT.
DATE _____ CHARLES W. WESTERL...



REZONE FROM RA TO MI

MAP NO DD 13

Z-78-04-24 + Z-78-07-17

BY M.F.C. 3-31-78

LAW OFFICES

SHOAFF, KEEGAN, BAIRD & SIMON

JOHN D. SHOAFF
ROBERT Y. KEEGAN
RICHARD F. BAIRD, JR.
CLIFFORD E. SIMON, JR.
GEORGE T. DODD
THOMAS M. SHOAFF
THOMAS M. MOORHEAD
N. REED SILLIMAN
DAVID A. SCOTT
JOHN R. BURNS, III

2400 FORT WAYNE NATIONAL BANK BUILDING
FORT WAYNE, INDIANA
46802

FRED B. SHOAFF
(877-1961)

AREA CODE 219
TELEPHONE
423-4492

LOUIS F. NIEZER
OF COUNSEL

July 17, 1978

Common Council
City of Fort Wayne
City-County Building
Fort Wayne, Indiana 46802

Council Members:

Attached hereto is a proposed Rezoning Ordinance affecting Lots 9, 10 and 11 in Woodlawn Park Addition to the City of Fort Wayne. Also attached hereto is a copy of Zoning Map Ordinance #Z-13-78, signed by Vivian G. Schmidt which the Council apparently approved several weeks ago.

The new Ordinance is submitted because the description in the original Ordinance was in error. The original Ordinance, which was heard by the Plan Commission and given a "do pass" recommendation contained the description of Lots 9, 10 and 11 in Woodlawn Addition. Apparently, through a scrivener's error, Lots 10 and 11 were left out of the Ordinance as it was submitted to the Common Council. The new Ordinance is submitted for the purpose of correcting the original scrivener's error and to effect the rezoning of all three of the lots pursuant to the recommendation of the City Plan commission. If there are any questions, please contact the undersigned or Pat Biancianiello at the City Plan Commission.

Very truly yours,



Clifford E. Simon, Jr.,
Associate City Attorney

CESjr/mcp
Enclosure



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

October 2, 1978

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, In 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of October 5, and October 12, 1978, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Zoning Map Ordinances

Bill No. Z-78-07-17
Zoning Map Ordinance
No. Z-20-78

Bill No. G-78-07-16
General Ordinance No.
G-24-78

Please send us 10 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1



LEGAL NOTICE

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-07-17 -- Zoning Map Ordinance No. Z-20-78, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. DD13

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-07-16 -- General Ordinance No. G-24-78, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain alley.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-07-17 -- Zoning Map Ordinance No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, were passed by the Common Council on the 26th day of September, 1978, and said Ordinances were duly signed and approved by the Mayor on the 28th day of September, 1978, and now remains on file and on record in my office.

Copies of said Bill No. Z-78-07-17 -- Zoning Map No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, are posted in the following places in Fort Wayne, Allen County, Indiana

- (1) The main floor lobby of the City-County Building
- (2) the bulletin board in the lobby of the Downtown Fort Wayne Public Library
- (3) The bulletin Board in the lobby at the east door of the Allen County Court House


Copies of said Bill No. Z-78-07-17 -- Zoning Map No. Z-20-78 and Bill No. G-78-07-16 -- General Ordinance No. G-24-78, are also available for reading in the following public places in Fort Wayne, Indiana

- (4) The Reference Room in the north end of the main floor in said Downtown Public Library
- (5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana



Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and post the above Ordinances in the designated places as stated above on October 5, 1978



Charles W. Westerman
City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

67

2

69

COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .259¢
cents per line

\$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.00

TOTAL AMOUNT OF CLAIM

\$ 21.87

DATA FOR COMPUTING COST

9.9

Width of single column in ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. Z-78-07-17 — Zoning Map Ordinance No. Z-78-07-16 — General Ordinance No. G-78-07-16, being AN ORDINANCE amending the City of Fort Wayne, Zoning Map No. DD13.

Notice is hereby given that on the 26th day of September, 1978, the Common Council of the City of Fort Wayne, Indiana in a Regular Session did pass the following Bill No. G-78-07-16 — General Ordinance No. G-78-07-16, being AN ORDINANCE amending General Ordinance No. G-17 by authorizing the vacation of a certain alley.

J. Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-78-07-17 — Zoning Map Ordinance No. Z-78-07-16 — General Ordinance No. G-78-07-16 — General Ordinance No. G-78-07-16, were passed by the Common Council on the 26th day of September, 1978, and said Ordinances were duly signed and approved by the Mayor on the 28th day of September, 1978, and now remains on file and on record in my office.

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-78-07-16 and Bill No. G-78-07-16 — General Ordinance No. G-78-07-16, are posted in the following places in Fort Wayne, Allen county, Indiana:

(1) The main floor lobby of the City-County Building
(2) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

(3) The bulletin Board in the lobby at the east door of the Allen County Court House

Copies of said Bill No. Z-78-07-17 — Zoning Map No. Z-78-07-16 and Bill No. G-78-07-16 — General Ordinance No. G-78-07-16, are also available for reading in the following public places in Fort Wayne, Indiana:

(4) The Reference Room in the north end of the main floor in said Downtown Public Library

(5) The Journal of the Common City Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana

CHARLES W. WESTERMAN
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on October 5, 1978.

CHARLES W. WESTERMAN
City Clerk

10-912

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

Arvilla Dewald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

9 10/5-12/78

Subscribed and sworn to before me this 12th day of October 1978

Notary Public

My commission expires September 28, 1979

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines _____

Head number of lines _____

Body number of lines 67

Tail number of lines 2

Total number of lines in notice 69

COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at .259¢ _____
cents per line \$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 4.00

TOTAL AMOUNT OF CLAIM

\$ 21.87

DATA FOR COMPUTING COST

9.9
Width of single column in ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date October 12, 19 78

Arvilla D. DeWald
Title _____ CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is _____ CLERK _____ of the

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Arvilla D. DeWald
Notary Public

My commission expires September 28, 1979

CH COPY OF
ISEMENT HERE

ING. FORT WAYNE, INDIANA
CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on October 5, 1978.
CHARLES W. WESTERMAN
City Clerk

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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2

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COMPUTATION OF CHARGES

69 lines, 1 columns wide equals 69 equivalent lines at \$2.59¢

\$ 17.87

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

4.00

TOTAL AMOUNT OF CLAIM

\$ 21.87

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Disbursement to the provision and penalties of Ch. 89, Acts 1967.

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CHARLES W. WESTERMAN
City Clerk

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just to part of the same has been paid.

12, 19 78

Title..... CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
Allen County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

10/5-12/78

Subscribed and sworn to before me this 12th day of October, 19 78

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

To THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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4.00

TOTAL AMOUNT OF CLAIM

\$ 21.87

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 point

Number of insertions 2

Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date October 12, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } as:

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NEWS-SENTINEL

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My commission expires September 28, 1979

Notary Public

CH COPY OF
ISEMENT HERE

Copies of said Bill No. 2-78-07-17 — Zoning Map No. 2-70-78 and Bill No. G-78-07-16 — General Ordinance No. G-2478, are posted in the following places in Fort Wayne, Allen County, Indiana:
(1) The main floor lobby of the City County Building
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CHARLES W. WESTERMAN
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinances in the designated places as stated above on October 5, 1978.
CHARLES W. WESTERMAN
City Clerk